

SECOND/THIRD READING SUMMARY SHEET

ZONING CASE NUMBER: C14-2012-0095(Anderson Mill @ Pond Springs Road)

REQUEST:

Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code, zoning the property locally known 13427 Pond Springs Road as from GR-CO, Community Commercial-Conditional Overlay District, zoning to CS-CO, General Commercial Services-Conditional Overlay District, zoning.

The ordinance reflects the conditions imposed by the City Council on 1st reading.

PROPERTY OWNER: Furrows North Properties, Ltd. (Jimmy J. Nassour)

AGENT: Alice Glasco Consulting (Alice Glasco)

DEPARTMENT COMMENTS:

The property in question is currently developed with a warehouse that houses a religious assembly use (Northwest Fellowship) in the front portion of the structure. There is a building to the west that contains commercial/personal improvement services/retail sales uses (Family Dollar Store, KAOS Children's Hair Salon, Honey Bee Quilt Store, Yancey's Antiques, Country Keepers Furniture Sales, and Austin Karate Academy), and to the north there is another structure that contains warehouse/construction sales and services uses (Baseball Solutions, Thigpen & Associates Glass, L.L.C., Trinity Stairs, Inc., and Window Gang Window Washing). This tract of land was annexed as full purpose by the City of Austin on December 1, 2005. The property was granted permanent zoning through case C14-06-0066. The applicant is requesting to re-zone this building footprint to CS, General Commercial Services District, because they would like to have a wholesale warehousing (Limited Warehousing and Distribution) use to store and distribute outdoor furniture parts.

Staff is recommending CS-CO zoning for this portion of the building because the site is located near developed commercial uses to the south, east and west. This footprint meets the intent of the Community Commercial district as it has access to two arterial roadways, Pond Springs Road and Anderson Mill Road, and will provide services to the surrounding areas. As part of the recommendation for this case, the staff proposes a conditional overlay that will prohibit the same uses that were restricted on the existing CS-CO zoned property to the north on this site (known as Tract 1 in zoning case C14-06-0066 – Please see the original ordinance for this property as Attachment A).

The applicant agrees with the City Council's approval on first reading.

DATE OF FIRST READING: September 27, 2012

ACTION: Approved CS-CO zoning on consent on 1st reading (7-0); B. Spelman-1st, S. Cole-2nd.

CITY COUNCIL DATE: October 18, 2012

CITY COUNCIL ACTION:

ASSIGNED STAFF: Sherri Sirwaitis

PHONE: 974-3057
sherri.sirwaitis@ci.austin.tx.us

ZONING CHANGE REVIEW SHEET

CASE: C14-2012-0095
(Anderson Mill @ Pond Springs Road)

Z.A.P. DATE: September 4, 2012
September 18, 2012

ADDRESS: 13427 Pond Springs Road

OWNER/APPLICANT: Furrows North Properties, Ltd. (Jimmy J. Nassour)

AGENT: Alice Glasco Consulting (Alice Glasco)

ZONING FROM: GR-CO

TO: CS

AREA: 0.26 acres
(11,200 sq. ft.)

SUMMARY STAFF RECOMMENDATION:

Staff's recommendation is to grant CS-CO, General Commercial Services District, zoning. The conditional overlay would prohibit Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing (of any type), Agricultural Sales and Services, Campground, Drop-off Recycling Collection Facility, Kennels, Laundry Services, Monument Retail Sales, Plant Nursery, Vehicle Storage, and Commercial Blood Plasma Center uses and limit development to the already existing conditional overlay approved with the original zoning case (C14-06-0066) which limits the number of trips generated by the subject tract as well as the original tract.

If the zoning is granted, development should be limited to the following conditional overlay:

"A Site Plan or Building permit for the subject tract may not be approved, released, or issued if the completed development or uses of the subject tract, when considered cumulatively with all existing or previously authorized development and uses on the original tract, generate traffic that exceeds the trip restriction approved for the original tract per the Ordinance # 20061130-051."

ZONING AND PLATTING COMMISSION:

9/04/12: Postponed to September 18, 2012 at the staff's request (7-0), P. Seeger-1st, C. Banks-2nd.

9/18/12: Approved staff's recommendation of CS-CO zoning by consent (4-0, G. Rojas, P. Seeger-absent)

DEPARTMENT COMMENTS:

The property in question is currently developed with a warehouse that houses a religious assembly use (Northwest Fellowship) in the front portion of the structure. There is a building to the west that contains commercial/personal improvement services/retail sales uses (Family Dollar Store, KAOS Children's Hair Salon, Honey Bee Quilt Store, Yancey's Antiques, Country Keepers Furniture Sales, and Austin Karate Academy), and to the north there is another structure that contains warehouse/construction sales and services uses (Baseball Solutions, Thigpen & Associates Glass, L.L.C., Trinity Stairs, Inc., and Window Gang Window Washing). This tract of land was annexed as full purpose by the City of Austin on December 1, 2005. The property was granted permanent zoning through case C14-06-0066. The applicant is requesting to re-zone this building footprint to CS, General Commercial Services District, because they would like to have a wholesale warehousing (Limited Warehousing and Distribution) use to store and distribute outdoor furniture parts.

Staff is recommending CS-CO zoning for this portion of the building because the site is located near developed commercial uses to the south, east and west. This footprint meets the intent of the Community Commercial district as it has access to two arterial roadways, Pond Springs Road and Anderson Mill Road, and will provide services to the surrounding areas. As part of the recommendation for this case, the staff proposes a conditional overlay that will prohibit the same uses that were restricted on the existing CS-CO zoned property to the north on this site (known as Tract 1 in zoning case C14-06-0066 – Please see the original ordinance for this property as Attachment A).

The applicant agrees with the Zoning and Platting Commission's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR-CO	Warehouse Structure (Northwest Fellowship), Commercial Center containing Personal Improvement Services, Personal Services and Retail Sales uses (Family Dollar Store, KAOS Children's Hair Salon, Honey Bee Quilt Store, Yancey's Antiques, Country Keepers Furniture Sales, and Austin Karate Academy), and another warehouse structure containing Construction Sales and Services uses (Baseball Solutions, Thigpen & Associates Glass, L.L.C., Trinity Stairs, Inc., and Window Gang Window Washing)
<i>North</i>	GR-CO, County	Single-Family Residences, Jollyville Fire Station
<i>South</i>	W/LO-CO, I-SF-2, GR-CO	Convenience Storage (Pond Springs Mini Storage), Service Station (Citgo), Vacant Lot (Previously SBC/ATT&T Call Center)
<i>East</i>	GR-CO, CS-CO, County	Religious Assembly use (Potter House Christian Church)
<i>West</i>	County	Retail Sales (High Tech Gadgets)

AREA STUDY: N/A

TIA: N/A

WATERSHED: Lake Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

Austin Heritage Tree Foundation
 Austin Monorail Project
 Austin Northwest Association
 Home Builders Association of Greater Austin
 Homeless Neighborhood Association
 League of Bicycling Voters
 Neighborhood Association of SW Williamson County
 SELTEX
 Sierra Club, Austin Regional Group
 Super Duper Neighborhood Objectors and Appealers Organization
 The Real Estate Council of Austin, Inc.

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-06-0066 (Furrows North: 13427 Pond Springs Road)	I-RR to CS-CO, GR-CO	9/19/06: Approved staff's recommendation for CS-CO zoning on Tract 1 and GR-CO zoning on Tract 2, with an added condition to prohibit Commercial Blood Plasma Center use on Tract 1. In addition, the Commission made a request that the applicant and neighborhood record a private restrictive covenant that is mutually agreeable to both parties prior to 3 rd reading of the case at City Council. Vote: (7-0, J. Martinez, J. Pinnelli-absent); K. Jackson-1 st , B. Baker-2 nd .	11/30/06: Approved CS-CO zoning for Tract 1 and GR-CO zoning for Tract 2 (7-0); all 3 readings
C14-05-0192 (The Mill: 9514 Anderson Mill Road)	I-RR to GR	12/06/05: Approved staff recommendation of GR-CO zoning by consent (7-0, K. Jackson, J. Pinnelli-absent); M. Hawthorn-1 st , J. Donisi-2 nd .	1/12/06: Approved GR-CO zoning by consent (6-0, D. Thomas-absent); R. Alvarez-1 st , L. Leffingwell-2 nd ; all 3 readings
C14-05-0143 (Quality Liquors: 13290- A Pond Springs Road)	Tract 1: I-RR to GR, Tract 2: I-RR to CS-1	9/20/05: Approved GR-CO for Tract 1 and CS-1-CO for Tract 2, prohibit on-site consumption, limit to 2,000 vehicle trips per day (9-0)	10/27/05: Approved GR-CO zoning for Tract 1, CS-1-CO zoning for Tract 2 by consent (6-0, Alvarez-off dais); all 3 readings
C14-03-0180 (Horizon Center: 13497 U.S. Highway 183 North)	I-SF-2 to Tract 1: GR- CO, Tract 2: CS-1-CO	1/20/04: Approved staff's recommendation of GR-CO (Tract 1), CS-1-CO (Tract 2) zoning by consent (6-0, J. Cortez, J. Donisi, K. Jackson-absent); the CO will prohibit the following uses: <u>Tract 1</u> : Drop-Off Recycling Collection Facility, Residential Treatment; <u>Tract 2</u> : Drop-Off Recycling Collection Facility, Residential Treatment, Building Maintenance Services, Campground, Cocktail Lounge, Commercial Blood Plasma Center, Construction Sales and Services, Convenience Storage, Electronic Prototype Assembly, Equipment Repair Services, Equipment Sales, Kennels, Laundry Services, Plant Nursery, Vehicle Storage, Veterinary Services, Custom Manufacturing, Limited	2/26/04: Approved GR-CO for Tract 1, CS-1-CO for Tract 2 by consent (7-0, Thomas-off dais); all 3 readings

		Warehousing and Distribution, Maintenance and Service, Transitional Housing, Transportation Terminal; and limit the development intensity for the entire site to less than 2,000 vehicle trips per day.	
C14-02-0059 (Pond Springs Road Rezoning: 13498 Pond Springs Road)	I-RR to GR	6/04/02: Approved staff's recommendation of GR-CO zoning on consent, with 2,000 vtpd limit and added condition prohibiting the following uses: Automotive Rentals, Automotive Repair Services, Automotive Sales, and Automotive Washing (8-0, K. Jackson-absent)	7/11/02: Approved ZAP recommendation of GR-CO with conditions (7-0)
C14-02-0020 (Jeffrey Hair Salon: 9414-9416 Anderson Mill Road)	I-RR to LR	4/9/02: Approved staff's rec. of LR-CO zoning; limit the vehicle trips to 2,000 vehicle trips per day; prohibit Service Stations, Congregate Living, Family Homes, Group Homes, Residential Treatment; require dedication of the appropriate right-of way (9-0)	8/29/02: Approved ZAP rec. of LR-CO, deleting Right-Of-Way dedication and added Restaurant (Drive-in, Fast Food) use to the list of prohibited uses (7-0); 1 st reading 9/26/02: Approved LR-CO (7-0); 2 nd /3 rd readings
C14-02-0002 Southwestern Bell Pond Springs Site: 9319 Anderson Mill Road)	I-RR to GR	6/30/02: To approve GR-CO zoning on consent with the following conditions: Limit the development intensity on the site to less than 2,000 vehicle trips per day; allow only LR district uses and prohibit the following uses: Restaurants (Drive-In, Fast Food), Station, Congregate Living, Guidance Services, Residential Treatment; Require that 57 feet of right-of-way from the existing centerline should be dedicated for Anderson Mill Road, according to the Roadway Plan, prior to third reading at City Council. (5-0, D. Castaneda-off dias, V. Aldridge-absent)	8/08/02: Approved GR-CO on 1 st reading (6-0, Wynn out of room) 8/29/02: Approved GR-CO (7-0); 2 nd /3 rd readings
C14-01-0165 (Chris D. Jones: Approximately 400 feet northeast of the intersection of Anderson Mill	CS-CO to CS-CO	12/11/01: Approved staff rec. of CS-CO (7-0); the CO will limit the site to Convenience Storage as the only CS use, allow all LR uses with the exception of a Service Station, limit the site to a maximum building height of 45	1/17/02: Approved ZAP rec. of CS-CO (6-0); all 3 readings

Road and U.S. Hwy 183 North)		feet, and limit the development intensity to less than 2,000 vehicle trips per day.	
C14-01-0155(13553 U.S. HWY 183 North)	I-RR to GR	11/21/01: Approved staff rec. of GR-CO by consent (8-0); the CO will limit the development intensity to less than 2,000 vehicle trips per day	1/10/02: Approved GR-CO (6-0, Goodman out of room); all 3 readings

RELATED CASES: C14-06-0066 (Previous Zoning Case)
C7A-05-014 (Annexation Case)

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	CAPITAL METRO	BICYCLE PLAN	SIDEWALKS
Pond Springs	100'	Varies	Arterial	No	No	No
Anderson Mill Road	Varies	Varies	Arterial	No	No	Yes

CITY COUNCIL DATE: September 27, 2012

ACTION: Approved CS-CO zoning on consent on 1st reading (7-0); B. Spelman-1st, S. Cole-2nd.

October 18, 2012

ACTION:

ORDINANCE READINGS: 1st 9/27/12

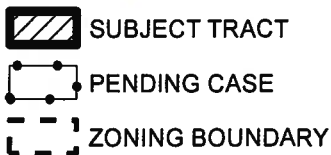
2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

PHONE: 974-3057,
sherri.sirwaitis@ci.austin.tx.us



ZONING CASE#: C14-2012-0095



This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

$$1'' = 400'$$





MACHEE TRL

WISTER BRIAR LN

WINS NEST LN

BRICKTSP

ANTONY HILLS ST

RAINBOW

EDDYSON

POND SPRINGS RD

BURR HIDGE DR

BUBBING

NORTH

SP-02-00-00-02

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STAFF RECOMMENDATION

Staff's recommendation is to grant CS-CO, General Commercial Services District, zoning. The conditional overlay would prohibit Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing (of any type), Agricultural Sales and Services, Campground, Drop-off Recycling Collection Facility, Kennels, Laundry Services, Monument Retail Sales, Plant Nursery, Vehicle Storage, and Commercial Blood Plasma Center uses and limit development to the already existing conditional overlay approved with the original zoning case (C14-06-0066) which limits the number of trips generated by the subject tract as well as the original tract.

If the zoning is granted, development should be limited to the following conditional overlay:

"A Site Plan or Building permit for the subject tract may not be approved, released, or issued if the completed development or uses of the subject tract, when considered cumulatively with all existing or previously authorized development and uses on the original tract, generate traffic that exceeds the trip restriction approved for the original tract per the Ordinance # 20061130-051."

BASIS FOR RECOMMENDATION

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

General commercial services (CS) district is the designation for a commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are incompatible with residential environments.

2. *The proposed zoning should promote consistency and orderly planning.*

The proposed zoning is consistent with the existing GR-CO zoning and CS-CO zoning on the site. This tract of land is surrounded by commercial uses to the south, east and west. The proposed CS-CO zoning (a building footprint within the existing warehouse on the site) will allow the applicant to develop additional commercial/retail uses on the site.

3. *Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.*

The site under consideration is located at the northwestern intersection of two arterial roadways, Pond Springs Road and Anderson Mill Road.

EXISTING CONDITIONS

Site Characteristics

The subject tract is currently developed with a warehouse that contains a religious assembly use in the front. There is also a commercial center on the site to the west that contains retail uses, personal services, and personal improvement services uses. Behind these building to the north on the property there is a third structure that is developed as a warehouse and contains contractor services uses.

Hill Country Roadway

The site is not within a Hill Country Roadway Corridor.

Environmental

The site is located over the North Edwards Aquifer Recharge Zone. It is in the Desired Development Zone. The site is in the Lake Creek Watershed, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code.

According to flood plain maps there is no flood plain within or adjacent to the project boundary.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

No trees are located on this property. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.

The site is located within the endangered species survey area and must comply with the requirements of Chapter 25-8: Endangered Species in conjunction with subdivision and/or site plan process.

Impervious Cover

The maximum impervious cover allowed by the CS zoning district would be 95%. However, because the Watershed impervious cover is more restrictive than the CS zoning district's allowable impervious cover, the impervious cover on this site would be limited by the watershed ordinance.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% NSA with Transfers</i>
Single-Family Residential (min. lot size 5750 sq. ft.)	45%	50%
One or Two Family Residential (lot size < 5750 sq. ft.)	55%	60%
Multifamily Residential	60%	65%
Commercial	65%	70%

In the Water Quality Transition Zones, impervious cover is limited to 30%.

Note: The most restrictive impervious cover limit applies.

Site Plan/Compatibility Standards

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program, if available.

Transportation

This property is contained completely inside a larger property that had an approved zoning case. If the zoning is granted, development should conform to the already existing conditional overlay approved with the original zoning case (C14-06-0066) which limits the number of trips generated by the subject tract as well as the original tract.

If the zoning is granted, development should be limited to the following conditional overlay:

"A Site Plan or Building permit for the subject tract may not be approved, released, or issued if the completed development or uses of the subject tract, when considered cumulatively with all existing or previously authorized development and uses on the original tract, generate traffic that exceeds the trip restriction approved for the original tract per the Ordinance # 20061130-051"

The Austin Metropolitan Area Transportation Plan 2025 calls for a total of 114 feet of right-of-way for Anderson Mill Road. Additional right of way maybe required at the time of site plan or subdivision application.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Daily Traffic	Sidewalk Existing
ANDERSON MILL RD	80' AMATP 2025: (114')	Varies	Major Arterial Undivided 2 Lane; AMATP 2025: MAD 4	18207 Total Daily Volume (2004)	Yes
POND SPRINGS RD	101'	Varies	Minor Arterial 2 Lane; AMATP 2025: Existing	8400 Total Daily Volume (2006)	No

Anderson Mill Rd is classified in the Bicycle Plan as a 'Recommended' bike route. According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009 (refer to page 88), bicycle facilities are recommended along the adjoining streets as follows:

Street Name	Existing Bicycle Facilities	Recommended Bicycle Facilities
Anderson Mill Rd	Wide Curb	
	Shared Lane	Bike Lane

Pond Springs Rd is classified in the Bicycle Plan as a 'Recommended' bike route. According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009 (refer to page 88), bicycle facilities are recommended along the adjoining streets as follows:

Street Name	Existing Bicycle Facilities	Recommended Bicycle Facilities
Pond Springs Rd	Shared Lane	Bike Lane

There are no existing capital metro bus stops along Anderson Mill RD and Pond Springs RD.

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

ORDINANCE NO. 20061130-051

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 13427 POND SPRINGS ROAD AND CHANGING THE ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT TO GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-CO) COMBINING DISTRICT FOR TRACT ONE AND COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT FOR TRACT TWO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district on the property (the "Property") described in Zoning Case No C14-06-0066, on file at the Neighborhood Planning and Zoning Department, as follows

Tract One From interim rural residence (I-RR) district to general commercial services-conditional overlay (CS-CO) combining district

A 24,600 square foot tract of land, more or less, out of 6 983 acres of land in the Elisha Allen Survey Abstract No 18, Williamson County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, and

Tract Two From interim rural residence (I-RR) district to community commercial-conditional overlay (GR-CO) combining district

A 6 983 acre tract of land in the Elisha Allen Survey Abstract No 18, Williamson County, Save and Except the property described as Tract One in this ordinance, the 6 983 acre tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance,

locally known as 13427 Pond Springs Road, in the City of Austin, Williamson County, Texas, and generally identified in the map attached as Exhibit "C"

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions

- 1 A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day above the trips generated by the existing or approved development
- 2 A 25-foot wide building setback shall be established parallel to and measured from the north and west property lines adjacent to the existing single family neighborhoods
- 3 The following uses are prohibited uses of Tracts One and Two

Automotive rentals
Automotive sales

Automotive repair services
Automotive washing (of any type)

- 4 The following uses are prohibited uses of Tract One

Agricultural sales and services
Commercial blood plasma center
Kennels
Monument retail sales
Vehicle storage

Campground
Drop-off recycling collection facility
Laundry services
Plant nursery

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code

PART 3. This ordinance takes effect on December 11, 2006

PASSED AND APPROVED

_____, November 30, 2006 §
 §
 §

Will Wynn
Mayor

APPROVED: _____ ATTEST: _____
David Allan Smith Shirley A Gentry
City Attorney City Clerk

Tract 1 area
(existing building
footprint)

HOLT CARSON, INC.

1904 FORTVIEW ROAD

AUSTIN, TX 78704

TELEPHONE (512) 442-0990

FACSIMILE (512) 442-1084

August 24, 2006

FIELD NOTE DESCRIPTION OF 24,600 SQUARE FEET OF LAND PROPOSED FOR ZONING CHANGE OUT OF THE ELISHA ALLEN SURVEY ABSTRACT NO 18 IN WILLIAMSON COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN (6 963 ACRE) TRACT CONVEYED TO FURROWS NORTH PROPERTIES, LTD BY DEED RECORDED IN DOCUMENT No 2002055772 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS

BEGINNING FOR REFERENCE at a 60 D nail found at the base of a fence corner post at the most Northerly corner of that certain (6 963 acre) tract of land as conveyed to Furrows North Properties, Ltd by deed recorded in Document No 2002055772 of the Official Records of Williamson County, Texas, and being an angle corner of Lot 30, Jolly Oaks, a subdivision in Williamson County, Texas, according to the map or plat thereof recorded in Cabinet B Slide 386 of the Plat Records of Williamson County, Texas, and being the most Westerly corner of Lot 2, Block A, Williamson County Fire District No 1 Subdivision, a subdivision in Williamson County, Texas, according to the map or plat thereof recorded in Cabinet K Slide 33 of the Plat Records of Williamson County, Texas,

THENCE crossing the interior of said Furrows North tract, S 39 deg 59' E 134 8 ft to a calculated point at the most northerly corner of a 1 story metal building ("1st building") and being the most northerly corner and **PLACE OF BEGINNING** of the herein described tract of land,

THENCE S 48 deg 29' E 425 5 ft to a calculated point at the most easterly corner of a second 1 story metal building ("2nd building"), and being the most easterly corner of this tract, and from which a iron rod found with plastic cap marked "Carson and Bush Professional Surveyors" in the North right-of-way line of Anderson Mill Road at the southeast corner of said Furrows North tract bears S 59 deg 18' E 107 1 ft ,

THENCE along the southeasterly wall of the 2nd building, S 41 deg 41' W 60 5 ft to a calculated point at the most southerly corner of said 2nd building, and being the most southerly corner of this tract,

THENCE continuing along the walls of said 2nd building the following three courses

- 1) N 48 deg 19' W 1 0 ft to a calculated point,
- 2) N 41 deg 41' E 5 0 ft to a calculated point,
- 3) N 48 deg 27' W 223 8 ft to a calculated point on the southeasterly wall of the 1st building, and being an angle point of this tract,

EXHIBIT A

24,600 square feet for zoning change
Page 2 of 2

THENCE along the walls of said 1st building, the following five courses

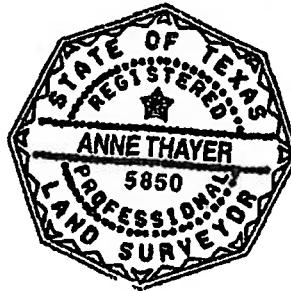
- 1) S 41 deg 33' W 50 ft to a calculated point,
- 2) N 48 deg 27' W 208.1 ft to a calculated point at the most westerly corner of said 1st building,
- 3) N 41 deg 33' E 76 ft to a calculated point,
- 4) S 48 deg 29' E 75 ft to a calculated point,
- 5) N 41 deg 33' E 526 ft to the Place of Beginning, containing 24,600 square feet of land

PREPARED August 24, 2006
BY



Anne Thayer
Registered Professional Land Surveyor No 5850

see sketch C667011



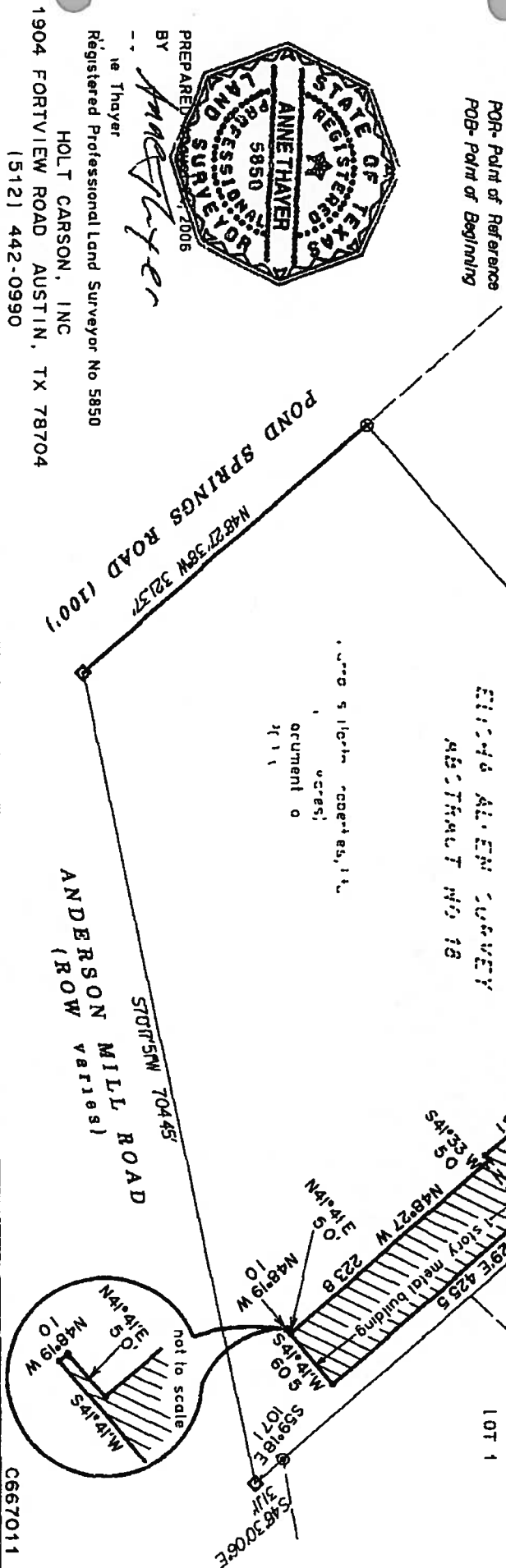
SKETCH TO ACCOMPANY FIELD NOTES TO
 24,600 SQUARE FEET PROPOSED FOR ZONING CHANGE
 OUT OF THE ELISHA ALLEN SURVEY ABSTRACT NO. 18
 IN WILLIAMSON COUNTY, TEXAS, AND BEING A PORTION
 OF THAT CERTAIN (6.963 ACRE) TRACT OF LAND CONVEYED
 TO FURROWS NORTH PROPERTIES, LTD. BY DEED
 RECORDED IN DOCUMENT NO. 2002055772 OF THE
 OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS

JOLLY OAKS
 CABINET B SLIDE 386

SCALE 1"=100'

Legend

- 1/2" Iron Rod Found
- ▲ 60 D Nail Found
- Calculated Point
- 1/2" Iron Rod Found with Plastic Cap Marked
 "Carson and Bush Professional Surveyors"
- Chiseled "X" Found
- POB- Point of Reference
- POB- Point of Beginning



PREPARED BY
 Anne Thayer
 Registered Professional Land Surveyor No. 5850
 HOLT CARSON, INC.
 1904 FORTVIEW ROAD AUSTIN, TX 78704
 (512) 442-0990

Tracts 1+2

**CARSON AND BUSH
PROFESSIONAL SURVEYORS, INC.**

1904 FORTVIEW ROAD
AUSTIN, TX 78704
TELEPHONE: (512) 442-0990
FACSIMILE: (512) 442-1084

FIELD NOTE DESCRIPTION OF 6.963 ACRES OF LAND OUT OF THE ELISHA ALLEN SURVEY ABSTRACT NO. 18 IN WILLIAMSON COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN (6 963 ACRE) TRACT CONVEYED TO FURROWS NORTH PROPERTIES, LTD BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT No. 2002055772 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS

BEGINNING at a 60 D nail found at the base of a fence corner post at the most Northerly corner of that certain (6 680 Acre) tract conveyed to Payless Cashways, Inc by deed recorded in Volume 1149 Page 552 of the Official Records of Williamson County, Texas, and being an angle corner of Lot 30, Jolly Oaks, a subdivision in Williamson County, Texas, according to the map or plat thereof recorded in Cabinet B Slide 386 of the Plat Records of Williamson County, Texas, and being the most Westerly corner of Lot 2, Block A, Williamson County Fire District No 1 Subdivision, a subdivision in Williamson County, Texas, according to the map or plat thereof recorded in Cabinet K Slide 33 of the Plat Records of Williamson County, Texas, and being the most Northerly corner of that certain (6 963 acre) tract of land as conveyed to Furrows North Properties, Ltd by Special Warranty Deed recorded in Document No 2002055772 of the Official Records of Williamson County, Texas, same being the most Northerly corner and **PLACE OF BEGINNING** of the herein described tract of land,

THENCE with the Northeast line of said (6 680 Acre) tract and with the Northeast line of said (6 963 acre) tract, S 48 deg 30' 06" E at 225 80 ft passing the most Northerly corner of that certain (0 777 Acre) tract conveyed to Payless Cashways, Inc by deed recorded in Volume 1149 Page 558 of the Official Records of Williamson County, Texas, and continuing on the same course with the Northeast line of said (0 777 Acre) tract 407 15 ft. more to pass a ½ inch iron rod found at the Southwest corner of Lot 1, Block A of said Williamson County Fire District No 1 Subdivision, and continuing on 31 11 ft more, for a total distance on this course of 664 06 ft. to a ½ inch iron rod found with plastic cap marked "Carson and Bush Professional Surveyors" in the North right-of-way line of Anderson Mill Road at the Northeast corner of that certain (0 497 Acre) tract conveyed to Williamson County by deed recorded in Document No 2000005903 of the Official Public Records of Williamson County, Texas, and being the Southeast corner of said (6 963 acre) tract, same being the Southeast corner of this tract,

EXHIBIT B

THENCE crossing the interior of said (0 777 Acre) tract with the North right-of-way line of Anderson Mill Road, S 70 deg 17' 51" W at 132 08 ft passing the common line of said (0 777 Acre) tract and said (6 680 Acre) tract and continuing on the same course 572 37 ft more, for a total distance on this course of 704 45 ft., to a ½ inch iron rod found with plastic cap marked "Carson and Bush Professional Surveyors" near the base of a galvanized metal power pole in the Northeast right-of-way line of Pond Springs Road at the Northwest corner of said (0 497 Acre) Williamson County tract, for the Southwest corner of said (6 963 acre) tract, same being the Southwest corner of this tract, and from which a ½ inch iron rod found at the intersection of the South right-of-way line of Anderson Mill Road and the Northeast right-of-way line of Pond Springs Road bears S 48 deg 31' 21" E 102 73 ft ,

THENCE with the Northeast right-of-way line of Pond Springs Road, N 48 deg 27' 38" W 321 37 ft to a chiseled "X" found on top of a concrete wall around a detention pond at the Northwest corner of said (6 680 Acre) tract, and called the Southeast corner of that certain (4 Acre) tract conveyed to Les Procter, trustee, by deed recorded in Volume 531 Page 555 of the Deed Records of Williamson County, Texas, and for the Northwest corner of said (6 963 acre) tract, same being the Northwest corner of this tract, and from which a ½ inch iron rod, found at the Southwest corner of said Procter (4 Acre) tract, bears N 48' 27' 46" W 365 42 ft

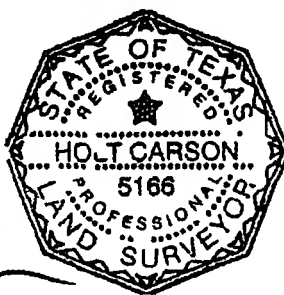
THENCE with the Northwest line of said (6 680 Acre) tract and with the Northwest line of said (6 963 acre) tract, the following two courses

- 1) N 41 deg. 30' 33" E 475 59 ft. to a ½ inch iron rod found at the most southerly corner of said Lot 30, and being called the Northeast corner of said Procter (4 Acre) tract,
- 2) N 40 deg. 06' 47" E 141 54 ft. to the Place of Beginning, containing 6 963 Acres of land

SURVEYED June 24, 2005

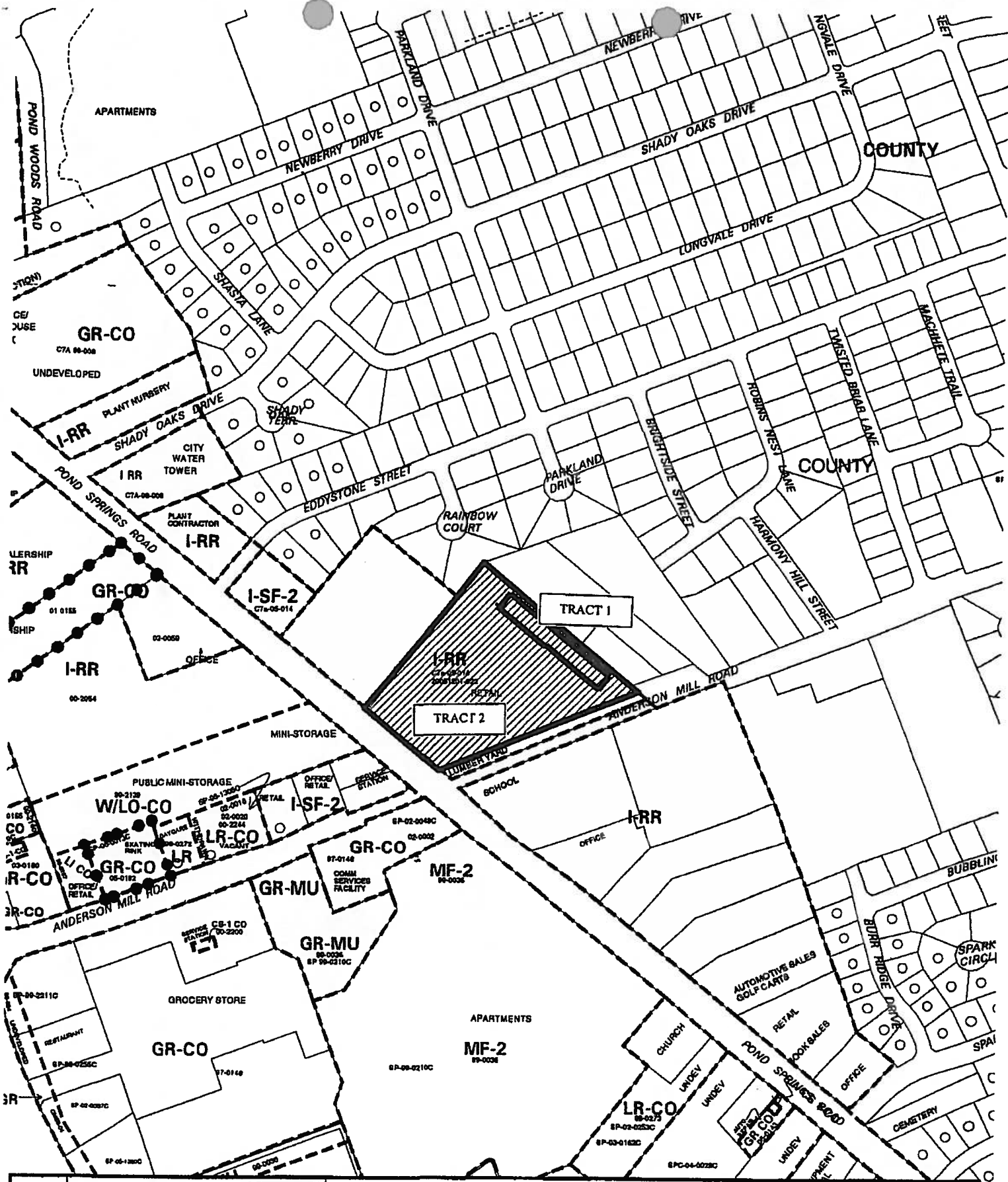
BY

Holt Carson



Holt Carson
Registered Professional Land Surveyor No 5166

see survey plat B 667011



 1" = 400'	SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR W WIRWAITIS	ZONING EXHIBIT C CASE # C14-06-0066 ADDRESS 13427 POND SPRINGS RD SUBJECT AREA (acres) 8.936		DATE 06 09 INTLS SM	CITY GRID REFERENCE NUMBER G38



August 31, 2012

Ms. Sherri Sirwaitis
City of Austin - Neighborhood Planning & Zoning Department
P.O. Box 1088
Austin, TX 78767-1088

Re: C14-2012-0095
13427 Pond Springs Road

Dear Ms. Sirwaitis,

Our NASWC Zoning Committee has reviewed the request for rezoning a portion of the property located at 13427 Pond Springs Road.

We are not opposed to the rezoning of this portion of the property to CS-CO; however would request that a Conditional Overlay be imposed that would be consistent with the other CS-CO zoning on the site.

I understand from our conversation today that you are recommending that the Conditional Overlay prohibit the following uses:

Automotive rentals
Automotive sales

Agricultural sales and services
Commercial blood plasma center
Kennels
Monument retail sales
Vehicle storage

Automotive repair services
Automotive washing (of any type)

Campground
Drop-off recycling collection facility
Laundry services
Plant nursery

Thank you for consideration of our request. Please contact me if you have any questions or comments.

Sincerely yours,

Cathy Mandell
Cathy Mandell
Chair, NASWC Zoning Committee

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.austintexas.gov

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2012-0095

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Sept. 4, 2012, Zoning and Platting Commission

Sept. 27, City Council

GERARDO ROSALES

Your Name (please print)

12501 Rainbow Court

Your address(es) affected by this application

Gerardo Rosales

Signature

8/29/12

Date

Daytime Telephone: 512 632 2043

Comments: Changing the Zoning From

GR-1 TO CS-1 would create a policy Eminent Domain

For our Neighborhood that would be a negative

impact. Industrial Commercial has no place.

Near Residential. Neighbor hoods. The GR Zoning

already brings trucks at all hours of the night. to

my back yard with backup alarms. The CS would

only multiply that ten fold.

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810